



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/512,838 02/25/00 BLACKBURN C LUCENT-00301

028960 TM02/1106
HAVERSTOCK & OWENS LLP
260 SHERIDAN AVENUE, #420
PALO ALTO CA 94306

EXAMINER

TRAN, Q

ART UNIT	PAPER NUMBER
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2643 8

DATE MAILED: 11/06/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary	Application No.	Applicant(s)
	09/512,838	BLACKBURN ET AL.
	Examiner Quoc D. Tran	Art Unit 2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 25 February 2000.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-16 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-16 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4-7</u>	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Drawings

1. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tatchell et al (6,160,877).

Consider claim 1, Tatchell et al teach a system comprising a service configured to initiate a call that passes through the service (col. 6 lines 61-68); a calling party selectively coupled to the service via the predetermined telephone line temporarily coupled to the call (col. 7 lines 1-9); and a control point coupled to the service, the calling party, and the predetermined telephone line wherein the control point is configured to direct the call from the calling party directly to a called party (col. 6 lines 25-68).

Tatchell et al suggested that these services are provided on a monthly or per-call basis and passwords are required for calls that required toll charge (col. 1 lines 19-22, col. 20 lines 25-34). Tatchell et al failed to suggest automatically billing a call to a predetermined telephone line. However it is obvious to bill for the call. Therefore, it would have been obvious to one of the

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ordinary skill in the art at the time the invention was made to charge the call to the predetermined account or line in order to provide appropriate billing of the call.

Consider claim 2, Tatchell et al teach the system wherein the service is a voice messaging system (col. 4 lines 52-55).

Consider claim 3, Tatchell et al teach the system further comprising a switch coupled to the control point configured to transfer the call from the service to the called, party wherein the calling party and the called party are connected and the service is disconnected (col. 7 lines 15-20, lines 43-50).

Consider claim 4, Tatchell et al teach the system wherein the predetermined telephone line is selectively determined by the calling party (col. 7 lines 3-6).

Consider claim 5, Tatchell et al teach a system having a control point, wherein a call is placed by a user through a service to a called party wherein the control point is coupled to the service, the called party, and the predetermined telephone line, and wherein the control point is configured to automatically re-connect the user directly to the called party without passing through the service (col. 6 lines 25-68, col. 7 lines 1-9 and lines 47-50).

Tatchell et al suggested that these services are provided on a monthly or per-call basis and passwords are required for calls that required toll charge (col. 1 lines 19-22, col. 20 lines 25-34). Tatchell et al failed to suggest automatically billing a call to a predetermined telephone line. However it is obvious to bill for the call. Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to charge the call to the predetermined account or line in order to provide appropriate billing of the call.

Consider claim 6, Tatchell et al teach a method for initiates a call from a user location to a destination through a service, comprising the following steps conveying data from the service to a control point, wherein the data indicates the predetermined telephone line, and the

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destination, and the user location; temporarily routing the call to the predetermined telephone line (col. 8 lines 6-48); and forming a new call originating from the user location and terminating at the destination (col. 7 lines 33-50).

Tatchell et al suggested that these services are provided on a monthly or per-call basis and passwords are required for calls that required toll charge (col. 1 lines 19-22, col. 20 lines 25-34). Tatchell et al failed to suggest automatically billing a call to a predetermined telephone line. However it is obvious to bill for the call. Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to charge the call to the predetermined account or line in order to provide appropriate billing of the call.

Consider claim 7, Tatchell et al teach the method further comprising activating a terminating attempt trigger in a switch associated with the predetermined telephone line (col. 9 lines 11-20).

Consider claims 8-10, Tatchell et al failed to clearly teach the method further comprising initializing the predetermined telephone line and automatically storing a call duration of the new call and a particular feature utilized during the new call on a switch in response to activating the terminating attempt trigger. However, the examiner takes official notice that it is well known in the art. Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate such teaching in order to process outgoing calls.

Consider claim 11, Tatchell et al teach the method wherein the user location is not at the predetermined telephone line (col. 7 lines 5-6).

Consider claim 12, Tatchell et al teach the method wherein the user location is the predetermined telephone line (col. 7 lines 3-4).

Consider claim 13, Tatchell et al a method for initiates a call through a service from a user location to a destination, comprising the following steps conveying call data from the

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service to a control point wherein the control point is coupled to the user location, the predetermined telephone line, and the destination; terminating the call to the service (col. 8 lines 6-48); and forming a new call to link the user location to the destination (col. 7 lines 33-50).

Tatchell et al suggested that these services are provided on a monthly or per-call basis and passwords are required for calls that required toll charge (col. 1 lines 19-22, col. 20 lines 25-34). Tatchell et al failed to suggest automatically billing a call to a predetermined telephone line. However it is obvious to bill for the call. Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to charge the call to the predetermined account or line in order to provide appropriate billing of the call.

Consider claim 14, Tatchell et al teach the method further comprising temporarily connecting the call to the predetermined telephone (col. 8 lines 34-48).

Consider claim 15, Tatchell et al teach the method further comprising the following steps terminating the call to the predetermined telephone line; and automatically querying the service control point via a terminating attempt trigger located within a switch associated with the predetermined telephone line in response to terminating the call to the predetermined telephone line (col. 9 lines 11-20).

Consider claim 16, Tatchell et al failed to teach the method further comprising storing call duration of the new call and a particular feature utilized during the new call on the switch in response to querying the service control point. However, the examiner takes official notice that it is well known in the art. Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate such teaching in order to process outgoing calls and to provide appropriate billing for the call.

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc Tran whose telephone number is (703) 306-5643. The examiner can normally be reached on Monday-Friday from 8:00 to 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (703) 306-0377.



DUC NGUYEN
PRIMARY EXAMINER